

U.S. PATENT & TRADEMARK OFFICE
JUN 11 2002

COPY OF PAPER
ORIGINALLY FILED

Practitioner's Docket No. 17396/09057CIP

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Asrar, Jawed; Sanders, Ernest F. and Ding, Yiwei

Application No.: 10/081.023 Group No.: _____

Filed: February 21, 2002 Examiner: _____

For: METHOD OF IMPROVING YIELD AND VIGOR OF PLANTS BY TREATMENT WITH
DIAZOLE, TRIAZOLE, AND STROBILURIN-TYPE FUNGICIDES

Box Missing Part

Commissioner for Patents

Washington, D.C. 20231

**COMPLETION OF FILING REQUIREMENTS
-- NONPROVISIONAL APPLICATION**

I. This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed April 2, 2002.

A copy of the Notice to File Missing Parts of Application--Filing Date Granted (Form PTO-1533) is enclosed.

DECLARATION OR OATH

II. No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231
37 C.F.R. § 1.8(a) as "Express Mail Post Office to Addressee"
 with sufficient postage as first class mail. Mailing Label No. _____ (mandatory)

TRANSMISSION

facsimile transmitted to the Patent and Trademark Office, (703) _____


Signature

Date: May 31, 2002

Diane Filatov
(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

COMPLETION FEES

III.

1.	Surcharge Fees Late payment of filing fee and/or late filing of original declaration or oath (37 C.F.R. Section 1.16(e))	\$130.00
2.	Assignment (See "ASSIGNMENT COVER SHEET")	\$40.00
Total Completion Fees		\$170.00

EXTENSION OF TIME

IV. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

V. The total fee due is:

Completion fees	\$170.00
Extension fee (if any)	\$0.00
Total Fee Due	\$170.00

PAYMENT OF FEES

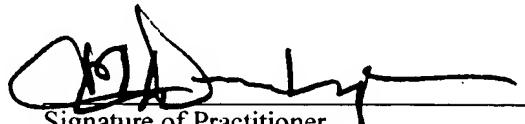
VI. Attached is a check in the amount of \$170.00.

Charge any additional fees required by this paper or credit any overpayment to Deposit Account Number 50-1196.

Date: May 31, 2002

Reg. No.: 35,124

Tel. No.: 864-250-2238


Signature of Practitioner
Charles E. Dunlap
Nelson Mullins Riley & Scarborough
Keenan Building, Third Floor
1330 Lady Street
Columbia, SC 29201

JUN 11 2002

Practitioner's Wicket No. 17396/09057CIP

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Asrar, Jawed; Sanders, Ernest F.; and Ding, Yiwei

Application No.: 10/081,023

Group No.: _____

Filed: 02/21/2002

Examiner:

For: METHOD OF IMPROVING YIELD AND VIGOR OF PLANTS BY TREATMENT WITH DIAZOLE, TRIAZOLE, AND STROBILURIN-TYPE FUNGICIDES

**Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231**

CERTIFICATE OF MAILING UNDER 37 C.F.R. section 1.8(a)

I hereby certify that the attached correspondence comprising:

1. Fee Transmittal (1 page).
2. PTO Return Form entitled Notice to File Missing Parts of Nonprovisional Application Form (1 page).
3. Completion of Filing Requirements - Nonprovisional Application (2 pages).
4. Combined Declaration and Power of Attorney (3 pages).
5. Assignment Cover Sheet (6 pages).
6. Check for \$170.00
7. Return postcard.

is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on May 31, 2002.

Diane Filatov

Leeds

Signature of person mailing paper

U.S. Patent and Trademark Office
JUN 11 2002
TRADEMAKES
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PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 170.00)

Complete if Known

Application Number	10/081,023
Filing Date	02/21/2002
First Named Inventor	Jawed Asrar et al.
Examiner Name	Unknown
Group Art Unit	
Attorney Docket No.	17396/09057CIP

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 50-1196
Deposit Account Name Nelson Mullins Riley...

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$ 0.00)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
	-20**	=	
Independent Claims	- 3**	=	
Multiple Dependent		=	

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0.00)

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					

*Reduced by Basic Filing Fee Paid **SUBTOTAL (3) (\$ 170.00)**

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Charles E. Dunlap	Registration No. (Attorney/Agent)	35,124	Telephone	864-250-2238	
Signature					Date	05/31/2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



JUN 11 2002

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/081,023	02/21/2002	Jawed Asrar	17396/09057

CONFIRMATION NO. 2905

FORMALITIES LETTER



OC000000007769362

Charles E. Dunlap
Keenan Building, Third Floor
1330 Lady Street
Columbia, SC 29201

Date Mailed: 04/02/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

06/17/2002 MBIZINES 00000044 10081023

01 FC:105

130.00 OP

RECEIVED

APR 09 2002

NELSON MULLINS
COLUMBIA OFFICE